

## **Recommendations Proposed to the Governor's Commission on Immigration**

Numerous recommendations or items have been referred to the Commission regarding the issues discussed above. Some of the recommendations can be implemented by the Commonwealth, while others are restricted to the federal government. The chart below lists the recommendations made to the Commission as they relate to the topics of health, public safety, education, employment, and transition. It should be noted that these recommendations are not the recommendation of the Commission, but rather proposed recommendations that have been brought before the Commission. The source listed to right of the recommendation is where it originated. All of these recommendations will be taken into consideration when preparing final recommendations, but placement on this list does not guarantee eventual endorsement from the Commission

Topic Area	Federal Recommendations	Source	State Recommendations	Source
<b>Employment</b>	Increase the number H-1B, H-2A, H-2B Visas allotted each year	Virginia Employment Commission	Support the use of E-Verify when it is fully functional and properly funded – <i>Minimal Fiscal Impact on Virginia</i>	Senator Watkins
	Require the Department of Labor to be more responsive to reported SSN discrepancies	Virginia Employment Commission	Verify new employees through E-Verify as it currently operates – <i>Minimal fiscal impact</i>	Virginia State Crime Commission
	Exempt immigration caps for those working in a shortage occupation (H.R. 1930 – Cantor)	Virginia Hospital & Healthcare Association	E-Verify should not be mandated because it is unreliable and limited in its capacity – <i>Minimal fiscal impact</i>	Virginia Employers for Sensible Immigration Policy
	Approve grandfather clause to allow H2-B workers to return to annual employers	Virginia Employment Commission		
	Request a review of the impacts of NAFTA on the employment of foreign-born people	Public Comment		
<b>Health Care</b>	Lengthen the work periods for RN/LPNs	Virginia Health Care Association	Make it illegal to give false identifying information to avoid payment for medical services, and require hospitals to post signs indicating prosecution for false identification – <i>Fiscal impact undermined</i>	Senator Cuccinelli H.B. 340
	Increase the number of foreign nurses with more H-1C Visas	Virginia Hospital & Healthcare Association	Allow hospitals to fingerprint anyone who receives services but cannot pay – <i>Fiscal impact undetermined</i>	Senator Cuccinelli H.B. 340
			Document legal presence for any state administered public benefit program – <i>Fiscal impact undetermined</i>	Virginia State Crime Commission

Topic Area	Federal Recommendations	Source	State Recommendations	Source
Health Care			Remove 40 quarters of employment or connection to military requirements for qualifying Legal Permanent Residents to obtain Medicaid after the 5 year bar period – <i>Fiscal impact of \$9.2 million GF plus \$9.2 million federal match</i>	Public Comment with input from the Department of Medical Assistance Services
			Continue preventative services for undocumented immigrants that are provided by free clinics and encourage the use of free clinics for basic health care as opposed to emergency rooms. Provide additional funding for free clinics and closer partnerships between hospitals and free clinics to divert individuals who are going to emergency departments for non-emergent care. – <i>Fiscal impact undetermined</i>	Virginia Hospital & Healthcare Association Dr. Newby-Owens
Education			Partner with private ESL providers to make English classes more available – <i>Fiscal impact undetermined</i>	Joint Legislative Audit and Review Commission
			Identify successful approaches to improve LEP students academic success – <i>Fiscal impact undetermined</i>	Joint Legislative Audit and Review Commission
			Require public schools to indicate to the postal service to not forward mailed items, thus preventing false residency claims – <i>Fiscal impact minimal</i>	Delegate B. Marshall

Topic Area	Federal Recommendations	Source	State Recommendations	Source
Education			Include percentage of students for whom English is a second language when calculating the composite index – <i>Fiscal impact of \$11,900,000 in 2010</i>	Public Comment Delegate J. Miller H.B. 437
			Offer in-state tuition to students who meet specific requirements that have been vetted by the Attorney General's Office – <i>Fiscal impact undetermined</i>	Public Comment Senator Hanger S.B. 652
Transition	Work with federal government on how to create additional visas targeted to US workforce needs	Virginia Employers for Sensible Immigration Policy	Create Office of Immigrant Assistant Services within DSS to provide assistance to help immigrants obtain proper documentation <i>Fiscal impact of \$401,774 in first year, \$238,774 in each following year</i>	Delegate Lingamfelter H.B. 1174
	Give undocumented immigrants a chance to pay a fine to obtain provisional legal status, and eventual citizenship. Individuals must be working and not have been convicted of criminal activity.	Satya Akula	The Commonwealth shall develop a comprehensive plan to address the needs of the foreign-born in a consistent/uniform manner – <i>Minimal fiscal impact</i>	Joint Legislative Audit and Review Commission
			The Commonwealth shall better inform immigrant communities about available services and basic rights – <i>Fiscal impact undetermined</i>	Joint Legislative Audit and Review Commission
Data Collection	More accurate data, or proxy data, on the number of individuals present without proper legal documentation	Delegate B. Marshall	VEC should work with agriculture groups to collect data comparing labor needed/requested with workers placed – <i>Minimal fiscal impact</i>	Senator Watkins
	Data on the number of foreign born individuals who are Legal Permanent Residents, and how many of those become citizens	Delegate B. Marshall	Collect data on how many affidavits are collected in lieu of birth certificates – <i>Fiscal impact undetermined</i>	Delegate B. Marshall

Topic Area	Federal Recommendations	Source	State Recommendations	Source
Data Collection			JLARC should revisit their 2003 study on the acclimation of Virginia's foreign born population. Following the methodology of the Texas Comptroller report, the 2005 population estimates from the Pew Hispanic Center could be used to calculate the estimated costs of Virginia's undocumented population. – <i>Fiscal impact undetermined</i>	Secretary Tavenner
			Improve data collection by the Department of Corrections regarding country of birth and citizenship of inmates – <i>Fiscal impact undetermined</i>	Joint Legislative Audit and Review Commission
Public Safety and Identification	Federal funds should accompany any 287(g) agreement to cover additional cost to the Commonwealth	Senator Watkins	Verification cards for purpose of showing identity issued by DMV – <i>Fiscal impact undetermined</i>	Virginia State Crime Commission
			Add funding to DMV to handle additional customers and REAL ID – <i>Fiscal impact undetermined</i>	Department of Motor Vehicles
			Prohibit the inquiry of immigration status of crime victims and witnesses unless the immigration status is essential to the investigation. – <i>Minimal fiscal impact</i>	Public Comment Senator Howell S.B. 441